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DEPARTMENT FOR S/WCI AND EUR/SCE

E.O. 12958: DECL: 12/01/2016
TAGS: [ICTY](#) [KAWC](#) [PHUM](#) [PINR](#) [BK](#)
SUBJECT: BOSNIA - DELPONTE GIVES RS MINISTER CADJO 30 DAYS
TO DELIVER ZUPLJANAN TO THE HAGUE

Classified By: Ambassador Douglas McElhaney. Reason 1.4(b) and (d).

¶1. (S) SUMMARY: The HighRep on December 15 told the Ambassador that ICTY Chief Prosecutor had delivered an ultimatum to RS Minister of Interior Cadjo demanding action within 30 days against ICTY indictee Stojan Zupljanan. The HighRep indicated that he would be prepared to use his Bonn Powers to remove Cadjo, if DelPonte substantiates her claim that Cadjo is shielding Zupljanan, a claim OHR staff thinks is more credible than DelPonte's past claims about RS cooperation on war crimes. The HighRep plans to consult with the Quint before taking any action, and asked that the U.S. share any information it might have on Zupljanan. DelPonte's deadline to Cadjo falls in early January. END SUMMARY

¶2. (S) In separate meetings on December 14 and 15, senior OHR staff and the High Representative confirmed that ICTY Chief Prosecutor Carla DelPonte had called on Republika Srpska (RS) Minister of Interior Stanislav Cadjo to "produce results" on indicted war criminal Stojan Zupljanan within four weeks. According to OHR, DelPonte delivered the warning on December 6, and she also told Cadjo she would report back to Schwarz-Schilling, implying that lack of progress could result in Cadjo's removal by the HighRep. (Note: Schwarz-Schilling had told PDAS DiCarlo on the margins of the December PIC that DelPonte planned to deliver this ultimatum to Cadjo on Zupljanan. End Note.)

¶3. (S) Our sources indicate that Cadjo responded to DelPonte by pointing to the RS MUP's recently drafted action plan for dealing with ICTY fugitives and their support networks as evidence of his commitment to arresting Zupljanan. He reportedly blamed the lack of progress on the technical limitations of the RS MUP's counter intelligence capabilities, personnel shortages, and the State Border Service's (SBS) failure to adequately police BiH's borders with Serbia and Montenegro. According to OHR, DelPonte rejected these explanations and warned Cadjo that the RS MUP needed to be much more proactive with regard to its cooperation with The Hague.

¶4. (S) After DelPonte briefed the HighRep on her meeting with Cadjo, Schwarz-Schilling called RS Premier Milorad Dodik to inform him OHR had obtained "some additional information" about Minister Cadjo that raised questions about his earlier vetting and approval by OHR for inclusion in Dodik's

government. The HighRep could not be more precise, he told Dodik, but he promised he or OHR staff would follow up in the coming weeks, OHR staff told us.

¶15. (S) The HighRep told the Ambassador he was prepared to use his Bonn Powers to remove Cadjo provided DelPonte could substantiate her claims that Cadjo was protecting Zupljanan and/or demonstrate Cadjo was obstructing the Zupljanan investigation. The HighRep also told the Ambassador that he had talked to the UK and German ambassadors as well as the EUFOR and NATO commanders about DelPonte's ultimatum to Cadjo. He had asked each of them to share any information they had about possible Cadjo-Zupljanan links. Schwarz-Schilling also asked the Ambassador that the U.S. do the same.

¶16. (S) COMMENT: Schwarz-Schilling is notoriously reluctant to use his Bonn Powers, but has said repeatedly that he would do so on ICTY-related issues. His staff believe DelPonte's case against Cadjo on Zupljanan is more credible than her claims several weeks ago that Karadzic is in Bosnia, but stress the HighRep will want a "solid legal basis" before acting. The HighRep promised to consult with the Quint before all this comes to a head, which should be sometime in early January.

MCELHANEY